

Take Over Telephone

(Continued from page 1)

first, nineteen hundred and sixteen, the Washington-Alaska military cable and telegraph system shall be maintained and operated by the Post Office Department instead of by the War Department, as at present, under such rules and regulations as the Postmaster General may prescribe.

Sec. 3. That the Secretary of War is hereby authorized and directed to assign for duty on the Washington-Alaska military cable and telegraph system, in accordance with the request of the Postmaster General, not to exceed five officers and such number of enlisted men of the Signal Corps as may be deemed necessary, who, while so assigned, shall receive the pay and allowances to which they are entitled by law; and, further, that the Secretary of War shall discharge from the Army such enlisted men as the Postmaster General may desire to continue as civilian employees of the system, provided application for such discharge be made by the enlisted men concerned.

Sec. 4. That the telephone and telegraph lines, systems, and the radiotelegraph stations within Alaska, Porto Rico, and the Hawaiian Islands, other than the Washington-Alaska military cable and telegraph system and its appurtenances hereinbefore mentioned, employed in the transmission of communications for hire, and such as may be necessary of the central office equipment, underground cable, underground conduit, aerial cable, aerial wire, poles, building cable, subscribers' stations, including indoor wiring and drops to premises of subscribers, private branch-exchange switchboards, land, buildings, furniture and fixtures, tools and teams, stores, supplies, and all other property used in the telegraph, telephone, and radiotelegraph services and appropriate and necessary for the operation of the same by the United States, are hereby declared to be, and the same are hereby condemned and appropriated to and for the use of the United States of America, to be used by it for such public purposes as may be proper.

Sec. 5. That it shall be the duty of the Postmaster General, and he is hereby empowered and directed, on the first day of July, nineteen hundred and sixteen to take charge and possession of, for, and by the authority of the United States of America, all telegraph and telephone lines in Alaska, Porto Rico, and Hawaii condemned in section four, as he may deem advisable. And it shall be the duty of the Postmaster General to use the properties and facilities of which he has taken possession in conjunction with the Postal Service for the transmission of telegrams, messages, correspondence, and communications under such rates and regulations as he may prescribe in order to promote the usefulness of the service to the public and to insure the receipt of revenue adequate to pay the cost of such service. The Postmaster General is hereby authorized during the fiscal years nineteen hundred and seventeen, and nineteen hundred and eighteen, and nineteen hundred and nineteen to use so much of the revenues arising from the telephone, telegraph, and radiotelegraph business operated by the Post Office Department as may be necessary to employ persons to operate the service, to pay rents, the cost of maintenance, and such other expenses as may be necessary for the proper conduct of the service, and shall render a report in detail of such expenditures to Congress at the beginning of each regular session thereof.

Sec. 6. That immediately after the passage of this act it shall be the duty of the Interstate Commerce Commission, on application by the Postmaster General, to appraise such properties as the Postmaster General may desire to acquire, such appraisals to be made in the order in which the Postmaster General elects to take over the properties, and award to the respective owners thereof just compensation therefor;

and said Interstate Commerce Commission shall, as soon as possible thereafter, file an inventory of the physical assets in use and useful for conducting such services and the values of the same, proper allowance being made for depreciation. The said Interstate Commerce Commission shall have the power, and it shall be its duty, to summon witnesses, to compel such witnesses to testify, and to present such books and papers as may be necessary, and the commission shall file a separate award of appraisal for each ownership and give notice to the Postmaster General and the owner thereof of the filing of such award. It shall be the further duty of the Interstate Commerce Commission to prescribe such methods of keeping records and accounts as may be necessary to determine the changes in values of the properties between the date of the original appraisals and that of taking possession by the Postmaster General, if any such interval there be, which changes in values, if any, shall be added to or deducted from the original awards. If either party be dissatisfied with the amount of any award, such award may, on appeal by either party, be reviewed by the circuit court of appeals of the United States having jurisdiction where the owner has its principal office, which circuit court of appeals is hereby vested with jurisdiction for such purposes, and an appeal may similarly be taken from circuit court of appeals to the Supreme Court of the United States for final review. The final award shall bear interest at the rate of four per centum per annum from the date the Postmaster General shall have taken possession of the property until the date of its final payment, which interest may be paid quarterly to the owners pendent lite on such principal sum as may, for that purpose, be agreed upon between the Postmaster General and the owner, the excesses or shortages, if any, in payments of interest, as determined by the amount of the final award, to be credited or debited in accordance with the final award.

Sec. 7. That the Secretary of the Treasury is hereby authorized and directed to make payment to the owners of such properties of the money due them under said awards as aforesaid out of the Treasury of the United States, and said owners shall be entitled to payment of such awards as compensation from the Treasury of the United States after the Postmaster General takes possession of the property valued in said awards, and the amounts of said awards are hereby appropriated to the parties entitled thereto out of the Treasury of the United States.

Sec. 8. The Postmaster General may confer the privileges by license on any Territory, county, municipality, company, association, or individual, under such regulations and conditions as he may prescribe, to construct and operate telegraph or telephone lines, as well as telephone exchanges and radio stations, or he may require that the same be operated by the Post Office Department, but he shall stipulate in said license the right of purchase by the United States.

Sec. 9. Whoever shall construct and operate any telephone or telegraph line for the conveyance of messages or communications for hire in Alaska, Porto Rico, and the Hawaiian Islands, without first securing from the Postmaster General a license so to do in accordance with section eight of this act shall be fined not exceeding \$1,000, or imprisoned not less than one year, or both.

Whoever shall willfully interfere with the operation of the telephone, telegraph, or radiotelegraph services operated and controlled by the Post Office Department, or with the transmission of any telephone, telegraph, or radiotelegraph message, or with the delivery of any such message, or whoever being employed by the Post Office Department shall divulge the contents of any such telephone, telegraph, or radiotelegraph message to any person not authorized to receive the same, shall be fined not exceeding \$1,000, or imprisoned not less than one year, or both.

Notice of Sale of Government Leases

At 12 o'clock noon, Monday, January 22nd, 1917, at the front door of the Capitol Building, Honolulu, there will be sold at Public Auction, under Section 380, Revised Laws of Hawaii of 1915, General Leases of the following described Government Lands:

(1). Government Land known as the Kapahi Camp Site, Kawaihau, Kauai, containing an area of 3.7 acres, more or less; upset rental \$100.00 per annum, payable semi-annually in advance; term of lease, 6 years from January 22nd, 1917.

(2) The following lots in the Kapaa Homestead Tract, Kawaihau, Kauai.

Lots 1, 1A, 2, 2A, 3, 3A, 4, 4A, 5, 5A, 6, 6A, 10, 10A, 12, 12A, 8, 8A, 9, 9A, 11, 11A, 17, 17A, 18, 18A, 19, 19A, 21, 21A, 24, 24A, 25, 25A, 26, 26A and 62, containing an area of 70.90 acres, more or less; upset rental \$142.00 per annum, payable semi-annually in advance; term of lease, 10 years from January 22nd, 1917.

The purchaser shall pay the cost of advertising.

For maps and further information, apply at the office of the Assistant Sub Agent, Miss Bernice E. L. Hundley, Kapaa, Kauai, or at the office of the Commissioner of Public Lands, Capitol Building, Honolulu.

B. G. RIVENBURGH,
Commissioner of Public Lands.
Dated at Honolulu, December 12, 1916.
Dec. 19-26 Jan. 2-9-16.

NOTICE TO CREDITORS

Estate of Tong Lee, deceased.

Notice is hereby given to all creditors of, and all persons having claims against, the above named deceased, to present their claims, duly authenticated and with proper vouchers, if any exist, even if the claim is secured by mortgage upon real estate, to the undersigned, at the office of the Clerk of the Circuit Court of the Fifth Judicial Circuit, Territory of Hawaii, at Lihue, Kauai, which said office the undersigned selects as his place of business in all matters connected with the estate of said deceased, within six months from the first day of this publication.

Dated, Lihue, Kauai, Dec. 5th 1916.

TONG KAU,
Administrator of the Estate of Tong Lee, deceased.

W. J. ROBINSON,
Attorney for Administrator,
916-920 Fort Street, Honolulu.
Dec. 5-12-19-26.

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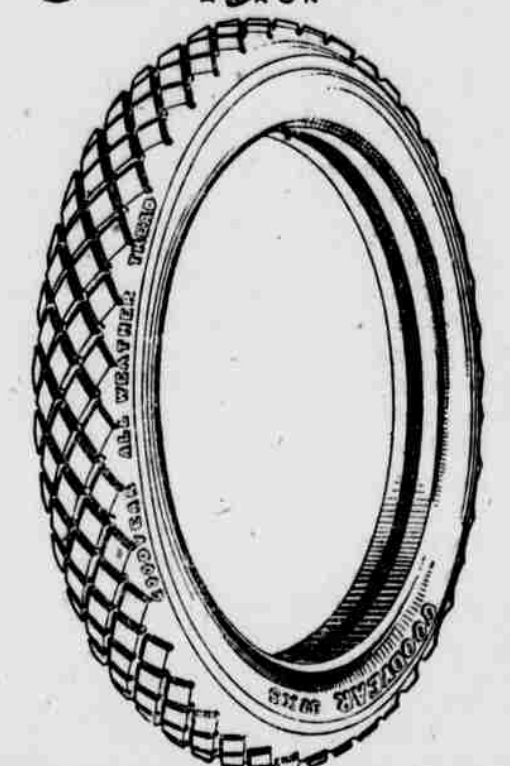
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